

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 205, "LAND USE",
ARTICLE XVII, "INDUSTRIAL DISTRICT", SECTION 205-76.1,
"TRANSIT-ORIENTED MIXED-USE DEVELOPMENT OVERLAY", OF THE CODE OF
THE TOWNSHIP OF NORTH BRUNSWICK, MIDDLESEX COUNTY, NEW JERSEY**

BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey, that Chapter 205, Land Use, Article XVII, Industrial District, Sections 205-76.1.B.(1)(g) and 205-76.1.C of Transit-Oriented Mixed-Use Development Overlay, of the Code of the Township of North Brunswick, Middlesex County, New Jersey, be and are hereby amended and supplemented as follows:

§205-76.1.B Application of Transit-Oriented Mixed-Use Development Overlay Regulations.

§205-76.1.B, Application of Transit-Oriented Mixed-Use Development Overlay Regulations, is hereby amended by deleting the language of §205-76.1B.(1)(g) in its entirety and replacing it with the following language:

(g) 12.2% of the housing units in the transit-oriented mixed-use development shall be affordable housing units. If all of the 1,875 residential units in the transit-oriented mixed-use development are approved and constructed as part of the transit-oriented mixed-use development, then 229 or 12.2% of these residential units will be affordable housing units. This total of 229 affordable housing units shall satisfy any and all current and future affordable housing obligations of any kind for the entire full build out of the transit-oriented mixed-use development, provided that the transit-oriented mixed-use development does not contain more than 1,875 residential units. Under no circumstances will more than 229 residential units of the 1,875 total residential units in the transit-oriented mixed-use development be affordable housing units. The 229 affordable housing units are part of and included in amount of the 1,875 total residential units allowable in the transit-oriented mixed-use development. Because the transit-oriented mixed-use development will provide such affordable housing units, no development fees, fees-in-lieu of affordable housing, or any other monetary obligation for affordable housing purposes shall be due as a result of the construction of any component of the transit-oriented mixed-use development.

[1] All of the 229 affordable housing units will be rental units, and will be dispersed throughout the buildings in the transit-oriented mixed-use development which contain rental units. All of the 229 affordable housing units will be family units.

[2] All of the 229 affordable housing units shall be subject to 30 year deed restrictions in conformance with N.J.A.C. 5:80-26.5.

[3] If all 1,875 residential units in the transit-oriented mixed-use development are constructed:

[a] 114, approximately fifty (50%) percent, of the affordable housing units in the transit-oriented mixed-use development will be moderate income units.

[b] 92, approximately forty (40%) percent, of the affordable housing units in the transit-oriented mixed-use development will be tier 1 low income units.